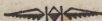


REPORT, &c.



The select committee to whom was referred so much of the message of his excellency the governor, as relates to the abduction of William Morgan, and the proceedings under the act passed the 15th day of April, 1828,

RESPECTFULLY REPORT, IN PART :

That they have endeavored to give the subject that attention which its importance demands, and to pursue their investigations in that spirit of candor that should characterise an inquiry into matters of so much delicacy; and respecting which, there exists great public excitement. They cannot flatter themselves however, that they have carried nothing of feeling with them, into the investigation of the subject; for coming, as most of them do, from what has been sometimes termed the "infected district," it is hardly to be supposed, that they should be indifferent, in the midst of a community greatly agitated. Still, they trust, that they have so far succeeded in discussing it dispassionately, as to lay before you no facts, except such as have the impress of authenticity, and to draw no inferences, which are not fairly deducible from established premises.

The message of his excellency the governor, treats the subject as one which may require the in-

terposition of the legislature, and to your committee has been assigned the task of ascertaining what legislation is necessary. It being highly important that the legislature should be in possession of the facts in every case, respecting which they may be called to legislate, your committee believed it to be their duty to collect and spread before this house a statement of the circumstances of this extraordinary affair, together with the causes which produced them, so far as the same have been ascertained. For this purpose, they directed their chairman to address letters to the Hon. Daniel Moseley, special counsel, appointed by the executive of this state, under the act passed April 15, 1828, and to Bowen Whiting, Esquire, district attorney for the county of Ontario, requesting from them, a statement in detail, of such particulars of the transaction as may have come to their knowledge, in the discharge of their official duties.

Your committee were aware that the circumstances relating to the Morgan outrages, had been collected and published in a pamphlet form, and in some public newspapers, by a number of respectable gentlemen, selected for that purpose, by their fellow-citizens in public meetings; and that notwithstanding these gentlemen, some of whom have seats in this house, affixed their own signatures to these publications, no attempt had been made to disprove their statements. Still, as there exists a disposition in our country to discredit statements which are made through the organ of the periodical press, and it being desirable to lay before this house such data as

might with proper safety be relied upon, by those who may be called to act in this grave matter, your committee thought it better to refer you to statements emanating from those whose official duties have made them acquainted with these singular transactions. It has too long been the opinion of many that the "western excitement" belonged more properly to our newspaper, than to our judicial history; and events more alarming in their character, when viewed in all their bearings, than any that have transpired in the course of many years, have been regarded rather as romance than as solemn matters of fact. In making this statement, your committee mean no reflection upon the intelligence of this house or this community. The state of feeling and the incredulity that have existed in many places, with regard to this matter, have proceeded from an honorable confidence in our free institutions, and in the integrity of our fellow-citizens, which bespeak great elevation of sentiment and nobleness of spirit; but which at the same time shews with what ease our good nature may be practised upon by the artful and designing.

The call for information, made upon Mr. Whiting, was answered by the accompanying statement, marked A. And your committee would take the liberty of expressing their acknowledgments to this gentleman for his promptitude and frankness in preparing for them, in midst of pressing professional engagements, a statement so full and satisfactory.

From this statement it appears that in the summer of 1826, a notice was inserted in the Ontario Messenger, a newspaper, published at Canandaigua, by

the procurement of some of those who were afterwards concerned in the outrages, representing Morgan to be guilty of bad conduct, and that particular information might be had respecting him, on application to the lodge in that village. During the summer of that year, it was reported that Morgan was writing a book on freemasonry, to be published by David C. Miller of Batavia; and this report was confirmed by subsequent events. Much feeling was excited amongst many members of the masonic fraternity, in consequence of this report; and meetings were held in many places, to consider of measures, by which the publication of the book might be prevented. A Canadian whose name is Johns, and who is said to have belonged to the British fur company, was introduced to Miller, under pretence of assisting him in the publication, but in reality for the purpose of acquiring information where Morgan's writings were to be found. Through his aid, the conspirators were enabled to obtain the possession of a part, at least, of Morgan's manuscripts.

On the 11th of September, persons from Lockport, in the county of Niagara, 90 miles distant from Canandaigua, applied at Fort Niagara for a place of confinement for Morgan, because he was about "to reveal the secrets of masonry." The day before, Ebenezer C. Kingsley of Canandaigua, by the persuasion of Nicholas G. Cheesebro and others, of that place, made a complaint against Morgan, before a magistrate, for stealing a shirt and cravat, the property of Kingsley. A warrant was issued on this complaint by the magistrate, directed to Cheesebro, as one of the co-

roners of Ontario county, or to any constable of that county, for Morgan's arrest. It was delivered to Cheesebro, who hired a post-coach and procured Holloway Hayward, a constable, and three or four others, to accompany him to Batavia, where Morgan resided. The party arrived at Batavia the same day, and the next morning the warrant was served by Hayward, it having been first endorsed by a magistrate of Genesee county. Immediately after the arrest, the same party returned to Canandaigua, and arrived in the evening. Morgan was taken before the magistrate, examined and discharged from the arrest, the charge of larceny appearing to be unfounded, the shirt and cravat having been borrowed from Kingsley.

Immediately, on his being discharged, a demand of two dollars was presented to the justice against him in favor of Cheesebro, as assignee of one Ackley. Morgan confessed a judgment, and an execution was forthwith issued. He took off his coat and offered it to satisfy the execution, but it was refused, and he was arrested and locked up in prison.

Information that Morgan was in custody, was immediately sent to Rochester to certain persons there, or to use the language of Cheesebro, to Morgan's *friends* in that place, some of whom came to Canandaigua the next day, for the purpose of carrying him off. A carriage was stationed a few rods from the gaol, where it might be ready to start at a given signal. Previous to this, Loton Lawson had been at the gaol, had seen Morgan, and proposed to Mrs. Hall, the wife of the gaoler, (he being absent,) to pay the

debt out of friendship to Morgan, and release him from prison. Mrs. Hall at first refused to comply, but on Cheesebro and Sawyer's recommending it, she consented to release Morgan. As she went towards the prison Lawson went to the street door and made a signal. She turned, and saw a man come up the steps. She released Morgan, and on going to the door, saw him between Lawson and the man who came up the steps, struggling and crying *murder*. His mouth was stopped, and he was forced off down the street. In the struggle, Morgan lost his hat. One of the party made a signal by rapping on a well curb, when the carriage started after them, took them in, and went towards Rochester.

The carriage was driven by Hiram Hubbard, who has testified, that he drove the party a little beyond Hanford's landing, near the east end of the ridge road, where he arrived about sunrise; and that they got out at a place, distant from any house. On his return, and at a short distance from the place where he left the party, he met a carriage with a pair of horses. The same day, a carriage was procured from Ezra Platt, of Rochester, under pretence of going to Lewiston to the installation of a lodge. Mr. Platt has been examined as a witness, and denies recollecting who hired the carriage. He says that it was applied for before day light, and that the driver has left the country, but that he does not now recollect his name. On that day, a carriage passed along the ridge road to Lewiston, under peculiar and extraordinary circumstances, not stopping at public houses, drawn by horses belonging to persons living on the

road, which were changed in bye places, and driven by men, who would not ordinarily be engaged in that business. This carriage stopped in a back street at Lewiston; and on the morning of the 14th, at a very early hour, another carriage was procured to go to Fort Niagara. The latter carriage was driven by Corydon Fox, a stage driver, who was directed to go to the one standing in the back street for his passengers. Fox states that he did so; that four or five men left that carriage, and got into the one driven by him. One of the men had no hat, and appeared to be helpless. He then drove towards the Fort, called by the way at Col. King's, took him in, and when near the Fort, left the whole party in the road, and returned to Lewiston. It is proved, that on that day, a man was in confinement in the magazine, attached to the Fort. Mr. Whiting adds, that it can now be proved that Morgan was in the carriage that passed along the ridge road on the 13th of September, 1826.

He also subjoins a statement of the testimony of Edward Giddins before the grand jury of Ontario county, and which said Giddins has published. Mr. Giddins, on the trial of Eli Bruce, Esq. late sheriff of Niagara, was offered as a witness, and rejected, on the ground of religious belief. Mr. Whiting, however, seems to credit his statements, which, he says, are corroborated, in some important particulars, by other witnesses. From his statement, we learn that Morgan was confined in the magazine at Fort Niagara, and if we give his statement credence, we must come to the conclusion that he was finally murdered.

Mr. Whiting comes to that conclusion, independent of the testimony of Giddins; and your committee believe, that he is fully warranted in so doing, by the facts and circumstances which he has detailed. Mr. Moseley, in his communication to your committee, which also accompanies this report, states, that he has ascertained material testimony, in relation to the abduction, since the making of his report to the executive, and adds, that he has been put in possession of some information of a *graver* character, from a source entitled to credit. Your committee, therefore, feel justified in saying, that there is very little reason to doubt, but that a free citizen of this state has been deliberately put to death by highly respectable individuals, and that many men in high standing were privy to the designs against him, and assisted in the preliminary measures, although perhaps, but few directly participated in the final catastrophe.

It may be proper to mention in this connection, that at a trial at Batavia, not particularly referred to by Mr. Whiting, three men were convicted of a daring outrage upon the person and liberty of Col. Miller, who was associated with Morgan in the publication of the book on masonry. This outrage was committed on the same day that Morgan was forcibly carried away from the gaol at Canandaigua. A principal actor in this affair, was the Canadian, Johns, who, eight days before, had suddenly disappeared from Batavia. But your committee will not tax the patience of this house, by a recital of the particulars of this outrage, and of several others committed or attempted against the persons and property of Miller

and Morgan, and in which many persons are known to have participated.

Although the special counsel, appointed by the executive, has interposed a caution against speaking of "societies and denominations of men" in relation to the subject of these inquiries, your committee feel bound to state, that in their opinion, if the abduction of Morgan is chargeable upon individuals, acting "as such," it is likewise chargeable upon them, as members of a powerful society, existing in our state, claiming a high character, on which has been bestowed many marks of public favor, and whose annual convocations and dazzling honors have been regarded with great interest, and sought for with much avidity. Your committee are not insensible, that they are preferring a grave charge against an institution which has many bright and honorable names enrolled amongst its votaries. Still they conceive, that the true character of the transaction, and its relative importance are to be ascertained by advert- ing to the causes which produced it, and the motives which actuated the perpetrators.

The active and persevering district attorney of the county of Ontario, who has carefully investigated the whole matter, states it as proved, "that the motives which actuated those who conspired against Morgan, were to prevent the publication of his book on free-masonry. The same objects were avowed in the meetings in Genesee county, by those who visited Fort Niagara, by those who acted in Canandaigua, and by those who came to Canandaigua, in consequence of the information sent to Rochester. So

far, therefore, as their motives were then avowed, the suppression of Morgan's publication was the object to be effected, and the abduction of the man was the means by which that object was to be accomplished."

"The abduction of Morgan," says Mr. Whiting, "is a singular and striking event in our history; and as in case of other irretrievable evils, it is easier to lament it, than to find a remedy. I have no hesitation in saying, that it has resulted from the confidence which members of the masonic society have felt in its power and influence; from a false estimate of the value of that institution, and from an opinion, that they were bound to preserve it from violation and injury." And he adds in conclusion, "It is worthy of remark, that it has been proved or conceded, that all those who have engaged in these outrages were members of the masonic fraternity, a fact not without meaning in reference to the objects of the conspiracy."

A proper consideration of these facts, fully established by solemn judicial investigation, will lead to a due estimate of the subject, referred to by your committee. Some have wondered why the abduction, or even the murder, of a comparatively obscure individual, should be considered of so much importance. Had he fallen in deadly strife with his fellow, or had a single assassin planted a dagger in his heart, the event and its circumstances would long since have ceased to interest the public. It is the offence against the dignity of this state, and the just grounds of alarm, indicated by the character of the transaction, which gives it its relative importance. Many

cases of personal suffering may be pointed out in our history, which, if the individuals only are to be taken into consideration, must be regarded as much more afflictive, than the case of the American seaman, who was shot by British authority in the harbor of New-York, and whose death caused such great sensation. Still, his death was justly considered a matter of national concern, whilst others, who fell by private assassins, were soon forgotten. A wound was inflicted upon our national honor, which awakened the sensibilities of this whole nation. We felt, that such aggressions on our sovereignty should be repelled, and that the permanence and stability of our institutions could only be secured, by showing our neighbors that such acts could not be committed with impunity. If the spirit and feelings that were then excited were just and proper; if that event was considered an alarming outrage, principally in consequence of the source from which it proceeded, does it not follow that the offence committed against the majesty of the people, in the case of William Morgan, should excite general interest. The members of a wide spread association, whose principles and operations are studiously concealed from the public view; who claim for their body high antiquity and distinguished renown; who assume imposing titles, and display the badges of royalty, feeling themselves bound to preserve their own institution from violation, have violated the majesty of the laws, and trampled upon those fundamental principles, on which are based our free institutions.

Your committee believe, that such an act, from such a quarter, is to be regarded as more alarming in

its character than a simple outrage, committed by the agents of a foreign government. It is much more easy to repel the assaults of a foreign enemy, than to counteract the wiles and machinations of a domestic foe. The security of our free institutions, in a great measure, depends upon their due estimation by those who enjoy their benefits. If our honorable, learned, and influential citizens consider themselves bound to an invisible power, existing amongst us, by stronger ties than their allegiance to that country which so amply protects them in the enjoyment of life and liberty, and in the prosecution of those pursuits which they deem essential to their happiness; if reckoning upon the strength and influence of that power, and with a direct view to its preservation, they venture upon the exercise of the highest acts of sovereignty, thus contemning the sovereign authority of this state, have we not just ground for alarm?

Your committee are sensible, that they have stated a strong case, but have they stated a stronger one than is detailed by Mr. Whiting, if we allow that he has not mistaken the true character of the transaction, and the motives of the actors in that sad tragedy? What have they alleged, that is not fully said by a faithful public officer, who has had every opportunity to judge correctly in this matter, and whose relation to those concerned, precludes the idea, that he has misconstrued their motives? Well might the distinguished public officer, who now presides over the perpetrated this outrage, "have disturbed the public peace, have dared to raise their parricidal arms against the laws and *constitution* of our government,

and assumed a power which is incompatible with a due subordination to the laws and public authority of this state." Following up the idea of the same distinguished individual, your committee add, that such attacks upon the sovereign power, of which every citizen is a constituent member, should be resented and guarded against.

Your committee believe that an idea has too long prevailed, that this is a trivial affair; and therefore, they have dwelt longer upon this branch of the subject, than would otherwise have been necessary. They forbear to descant upon the reasons that have given currency to this idea, and the cold indifference with which it has been regarded, by a body of men whose members, for a series of years, have filled a great proportion of the responsible stations in every department of the government. The citizens of those counties where these outrages were perpetrated, when they discovered the intimate connection between them and freemasonry, expected that the members and officers of that institution would have been foremost in ferreting out the guilty individuals, and unwearied in their exertions to wipe from its escutcheon so foul a stain. It was certainly reasonable to suppose that an institution laying claim to the greatest purity of principle, would have made liberal contributions of its funds and exertions, in bringing to light this dark, nefarious and alarming transaction; that at least, they would have affixed some mark of disapprobation upon those whose conduct was so criminal, and so directly calculated to bring their fraternity into disrepute. Your committee

cannot learn however, that any such measures were deemed necessary by the institution. They cannot but think that this apparent apathy solemnly admonishes us, as a people, to inquire into its causes ; and why it is, that when members of this society are frequently debarred from its privileges, for offences which are not cognizable before our courts, the perpetrators of these flagrant enormities should not be considered guilty of "unmasonic conduct," and treated accordingly. The inquiry naturally suggests itself, was that confidence in the power and influence of their society which led these men to the commission of such crimes, such as the principles of that society warranted them in entertaining ; and was their construction of their masonic obligations, that which is fairly inferrable from the tenor of those obligations ? The standing of these men in society and with the *craft* ; their numbers ; their avowed motives, with reference to this affair ; and the treatment they have received from their brethren, certainly justify the presumption that they were not mistaken ; and would, if we had no other evidence, afford the strongest grounds for suspicion. But on this subject, we are not left to conjecture. The principles and obligations of masonry are well known to at least one member of your committee ; and they afford a complete solution to this inquiry. Several of the obligations, taken by members of this society, as published by a convention of seceding masons, who were led to an examination of the principles of the institution, in consequence of the outrages committed in their neighborhood, were laid before the legislature at the last session, and are herewith

submitted, for the consideration of this house. These obligations, taken in connection with those published by Morgan, (for the authenticity of which, we have evidence of the most *conclusive*, as well as of the most painful kind,) too plainly show the truly appalling fact, that those deluded men whose hands are probably stained with a brother's blood, though politically and morally wrong, were *masonically* right. This, in the view of your committee, is the most distressing and alarming feature in the whole transaction.

To the sincere patriot, to every citizen, it affords matter for *grave* reflection, that these men, some of whom have had seats in this house, and held high and responsible stations, should have calculated with so much confidence on being shielded from public vengeance, although guilty of high enormities, by the power and influence of a secret society. Whether they supposed that their society afforded facilities for the commission of crimes, without the possibility of detection, or whether they calculated on corrupting the fountains of justice, the fact is equally interesting to every lover of his country. Did these men suppose, that masons in high stations would interpose the broad shield of their authority to protect them in their high handed villainy, in their "preconcerted and deliberate" attack upon the laws and constitutions of their country? Did they suppose, that witnesses and jurors, feeling themselves bound by masonic obligations, would lose sight of their duty to their country and their God? Your committee take no pleasure in dwelling upon this subject; still, it is one which requires a thorough investigation. A so-

ciety of men, who meet in secret, embracing all ranks of life, comprising many men of talents, and a very large proportion of those who hold high and responsible stations, is looked up to with confidence by its intelligent and respectable members, as affording a sure protection from the consequences of the most infamous and dangerous crimes; and what is worse, as binding them, in certain cases, to the commission of crimes. Yet this society boasts of her charities, professes to teach the most expansive benevolence, and carries in her public processions the volume of inspiration. Why this confidence? How do they expect protection in such cases, except by trampling under foot all that is dear to us as freemen?

Whether the existence of such a society, holding her meetings in secret places, guarding the entrance to her conclaves with the instruments of death, binding her votaries with such ties, affording them protection when in difficulty, "right or wrong," regarding her own laws as paramount to the laws of the land, is incompatible with our free institutions, should be taken into serious consideration. The subject addresses itself to our love of country, in the most imposing form; and however disagreeable it may be, we should not shrink from the examination.

Your committee are aware, that any measures which may be taken, with the view of removing this evil, will be called intolerant. It will be said, that the society or sect of freemasons, are entitled to the same protection as other associations for charitable purposes and mutual improvement. There can be no question but that freemasons have a right to assemble,

and transact their business in their own way, so long as their business is lawful, and they in no way injure others, or endanger the state. But that men may meet for any purpose, and form associations, whose tendency is to screen the guilty and sap the foundations of civil liberty, is inconsistent with the genius of our government. Every government has the right to provide for its own safety, and to prohibit any thing that tends to its own subversion. A government without such right could be of no value to the community that adopted it.

If freemasonry has dangerous features, there certainly can be no doubt of the right of the legislature to require those features to be expunged. If it is, as its friends contend, merely an association to promote charity and social intercourse, it has no occasion for such obnoxious oaths, of a character so different from the real objects of the institution. Why such horrid penalties to enforce the practice of such duties, and to effect such objects?

Your committee cannot believe, that the rights of any citizen would be abridged, by forbidding him to put himself under such obligations, or to partake in rites, directly calculated to corrupt the public morals. We have not only a right to prohibit crime, but to prevent men from binding themselves to its commission.

Your committee believe, that the institution of freemasonry owes its dangerous character to its obligations, which are imposed, as they are informed, upon noviciates, without making known to them their nature. Destitute of their sanctions, and the bond of

union they produce, (the sure consequence of the barbarous penalties that are interwoven into their texture,) it would lose its mischievous tendency, and be completely shorn of its locks. Its boasted cement, which owes its influence to one of the strongest, though not the noblest, passions of the human heart, would lose its power; and the mighty edifice that affects to defy the "world in arms" would fall by its own weight. If freemasons are tenacious of their ornaments, badges, and vestments, let them continue to use them, and to display them in public, if it will afford them any amusement or pleasure. But certainly it is asking too much of this community, to require us to tolerate them in the use of oaths which tend directly to sap the foundations of our free institutions, and to subvert the citadel of liberty.

Your committee believe that the passage of a law, prohibiting the administration of extra-judicial oaths, would produce many salutary results, disconnected with the masonic institution. The committee who, at the last session, reported the bill to prevent the administration of such oaths, say, with great force and justice, that "the frequent, unauthorised and irreverent administration of oaths has a powerful influence to destroy that religious sensibility to their nature, and that scrupulous and conscientious regard to all their requirements, which alone entitle them to confidence. Great and enlightened men have, with one accord, condemned the multiplication of oaths, with or without the sanction of law, as immoral and impolitic." If such remarks are correct with respect to oaths administered in the usual form, what shall we say of those presented to the consideration of the

house, and which are said to be taken under circumstances of peculiar degradation? It must be perfectly obvious to every one, who will make himself acquainted with their nature and provisions, that they must frequently put it in the power of men, desperate in principle and depraved in morals, to exercise a commanding influence over men of pure principles and upright intentions; that not unfrequently the virtuous citizen finds his known duties clashing with his masonic obligations. Cases must frequently occur which require a conscientious individual, either to disregard an oath imposed by the authority of his country, or one he has taken in a masonic assembly. Cases so distressing and embarrassing should always be prevented if practicable, as they serve to ensnare the conscience, to blunt the moral sense, and to weaken the security which is sought to be obtained by requiring the confirmation of an oath.

Your committee forbear to enlarge upon the ease with which an institution, constituted as freemasonry is, might affect our elections and keep its influence out of sight. The citizens of the western counties, when their attention was called to the subject, by the strange transactions which took place amongst them, were surprised to find that nearly every high judicial and ministerial station, in that section of the state, was filled by members of the order. In fact they almost literally filled "every department of the government." It should also be remembered, that one of its votaries has asserted, when speaking in the name of his brethren, on a public anniversary, (and whose boastings, not altogether idle perhaps, have been extensively circulated in masonic news-

papers and publications,) that "masonry has the power of co-operating in the desk, in the legislative hall, on the bench, in every gathering of men of business, in every party of pleasure, in every enterprise of government, in every domestic circle, in peace and in war, among its enemies and friends, and in one place as well as another." This idea of masonic influence, it will be seen, accords with that "confidence," to which an able and faithful officer of the government ascribes the untimely fate of the unhappy Morgan.

In directing their inquiries towards that part of the subject which has relation to the legislation that may be necessary in reference to this subject, your committee have deemed two things important: first, to provide for the detection and punishment of those who committed the outrage, and then to guard against the repetition of similar offences. Taking into consideration the circumstances of the case, your committee are persuaded that the act of April 15th, 1828, should be continued in force. The reasons given by Mr. Whiting for the adoption of such a course are, with them, conclusive.

In order that the subject may be fully investigated, it may be necessary to make some provision for those witnesses who are required to attend the courts in distant counties. The frequent delays that have occurred, in the legal proceedings that have been had, have rendered it extremely burthensome on those witnesses who have been called to a considerable distance from their homes. Mr. Moseley recommends that provision should be made for their relief,

and your committee, believing that it would promote the ends of justice, by preventing the difficulty of procuring testimony, have incorporated a provision to that effect, into a bill which they ask leave to introduce, to continue in force the act entitled "An act to provide for the employment of counsel for the purposes therein mentioned."

They also ask leave to introduce a bill to prevent the administration of extra judicial oaths.

The subject referred to your committee, being one of first impression and of vast importance, they do not feel fully prepared, at present, to say what legislation may be necessary, in relation to its full development, and the furtherance of justice. They do not, therefore, ask to be discharged from the further consideration of the subject, but wish to be indulged with further time for reflection, on the measures which should be devised for the more effectual investigation of the outrages committed on the person of Morgan, and to provide against the recurrence of events, so alarming in their character, so destructive of the peace of society, and the safety of its members.

A. HAZELTINE, *Chairman.*

AN ACT

To prevent the administration of extra judicial oaths.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

1 § 1. It shall not be lawful for any person to ad-
2 minister or take an oath or affirmation in any case
3 not authorised by the laws of this state.

1 § 2. Any person, offending against the provi-
2 sions of this act, shall be deemed guilty of a mis-
3 demeanor, and be punished by fine and imprison-
4 ment; the fine not to exceed two hundred dol-
5 lars; and the imprisonment not to exceed six
6 months.

AN ACT

To continue in force an act, entitled " An act to provide for the employment of counsel, for the purposes therein mentioned."

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

1 § 1. The act entitled an act to provide for the
2 employment of counsel, for the purposes therein
3 mentioned," passed the 15th day of April, 1828,
4 shall continue in force two years, from and after
5 the first day of may next, and no longer; and any
6 thing contained in said act, inconsistent herewith,
7 is hereby repealed.

1 § 2. The several courts of oyer and terminer
2 and general sessions of the peace, before whom

3 any witness shall appear to give testimony, in any
4 case relating to the abduction of William Morgan,
5 and the circumstances connected therewith, at
6 the request of the special counsel, appointed by
7 the executive by virtue of the act hereby conti-
8 nued in force, or of the district attorney of the
9 county where such courts are held, shall, on the
10 prayer of such witness, order the treasurer of the
11 county where such courts shall be held, to pay
12 such sum of money to such witness as they shall
13 deem equitable and just, taking into considera-
14 tion his circumstances, the frequency of his at-
15 tendance, and the distance by him necessarily
16 travelled.

APPENDIX.



A.

To the Hon. A. Hazeltine, Chairman of the Committee of the Assembly, on the abduction of William Morgan.

SIR—In compliance with the request of the committee of which you are chairman, communicated to me by your letter of the 17th inst. that I would give you “a detailed statement of the facts that have been disclosed, on the several trials that have grown out of the [Morgan] transaction,” I herewith submit a statement of such facts, disclosed on the trials conducted by me, as District Attorney of Ontario county, as have a tendency to shew the motives of those who have perpetrated this outrage upon the rights of a citizen, and the measures taken to effect their designs.

The first information of William Morgan, and of the opinion of others concerning him, which has been disclosed in these trials, was found in an anonymous notice, published some time in the spring or summer of 1826, in the Ontario Messenger, representing him as a disreputable man, or as guilty of bad conduct, and that particular information respecting him might be had on application at the lodge in Canandaigua. Of this notice I speak from recollection, as I have not the paper before me; but the foregoing, I believe, is the substance of it. It was not proven who carried that notice to be inserted in the newspaper; but I have been informed, and believe, that it was procured to be published by some of those who were afterwards concerned in the abduction.

During the summer of 1826, it was reported and generally understood, that Morgan was writing a book on freemasonry, to be published by David C. Miller, of Batavia, which reports were verified by subsequent events. His employment excited a great deal of feeling and resentment, among many of the masonic fraternity; and meetings were held at Le Roy and other places, to consider of measures to suppress the publication. A man was introduced to Miller, under pretence of assisting him with money in the publication, but for the real purpose of giving information where Morgan's writings were to be found. His name was *Johns*, a Canadian, and is said to have belonged to the British fur company. The possession of some part, if not the whole, of Morgan's manuscripts, was obtained by the conspirators, but in what manner they were obtained, and of the course of subsequent events which happened in Genesee county—inasmuch as they have not been investigated at trials in Ontario—I have no particular knowledge, except so far as I have detailed them; and so far as they were a subject of inquiry on the trials under my direction, as the inducement to further illegal acts.

There is some reason to believe that a conspiracy was formed in the counties west of Ontario, to abduct Morgan in a manner different from that which was finally adopted. He was arrested in Batavia, on the morning of the 11th, and was carried from the jail in Ontario on the evening of the 12th of September, 1826. On the 11th September, the same day that he was arrested in Batavia, persons from Lockport applied at Fort Niagara, for a place of confinement for Morgan, because he was about "to reveal the secrets of masonry." It is possible that those who acted at Canandaigua on the 12th, and the persons who were at Fort Niagara on the 11th, may have had a correspondence, though the distance between these places, as well as the testimony of Cheesbro before the court of sessions of Ontario county,

in August, 1827, contradict this supposition. It is not very important, only as regards the evidence of common design to prevent the publication of the secrets of masonry.

On the 10th of September, 1826, Ebenezer C. Kingsley of Canandaigua, by the persuasion of Nicholas G. Cheesbro and others, made a complaint against Morgan, before J. Chipman, Esq. a justice of the peace, for stealing a shirt and cravat, the property of Kingsley. A warrant was issued on this complaint by the magistrate, directed to Cheesbro as one of the coroners of Ontario county, or to any constable of the county, for Morgan's arrest, and was delivered to Cheesbro, who hired a post-coach and procured Halloway Hayward, a constable, and three or four others to accompany him to Batavia, where Morgan then resided. The party arrived at Batavia on the evening of the same day, and on the next morning, the 11th September, the warrant was served by Hayward, the constable, he having first procured it to be endorsed by a magistrate of Genesee county, and immediately after the arrest, the same party returned to Canandaigua, where they arrived at evening. Morgan was immediately brought before Chipman, examined and discharged from the arrest; the charge of larceny appearing to be unfounded, as the articles were borrowed of Kingsley without a felonious intent. I omit to relate the incidents of this journey, as I do not regard them as important in the further development of the conspiracy.

After Morgan was discharged from the arrest, a demand of two dollars was presented to the said justice against him, in favor of Cheesbro, as assignee of one Ackley. For the demand, Morgan confessed a judgment, and an execution was forthwith issued. He offered his coat to the constable to satisfy the execution. It was not taken; and he was arrested and locked up in jail. This took place on the eve-

ning of the 11th September, after the return from Batavia.

Morgan was abducted from the jail on the evening of the 12th September, having remained there about twenty-four hours. The means adopted for that purpose, are distinct in their nature, and will be stated presently.

Hayward and the persons who went to Batavia were indicted for a participation in the abduction from the jail. On the trial of that indictment, Cheesbro being called by the defendants, testified that there was no understanding between him and the defendants, "of any thing to be done to Morgan, other than the bringing him to Canandaigua and trying him." "The idea of Morgan's going west originated here, (Canandaigua) after the discharge from the warrant;" and that *he* "did not understand that Morgan was to leave the jail until near night on the 12th." He also swore that his motives in prosecuting Morgan were to convict him of stealing, and thus to suppress the publication of the book on Freemasonry—that fearing that David C. Miller would come from Batavia, pay the debt, and release Morgan, a communication was sent to Morgan's *friends* at Rochester, informing them that Morgan was in jail for debt—that towards evening on the 12th September, several persons communicated to him the purpose of removing Morgan—that they were the same persons who had been informed of Morgan's imprisonment, by the communication sent to Rochester—and that he (Cheesbro) hired the carriage in which Morgan was carried off, and paid for it.

Other facts will appear which prove that the motives which actuated those who conspired against Morgan, were to prevent the publication of his book on freemasonry. The same objects were avowed in the meetings in Genesee county; by those who visited Fort Niagara; by those who acted in Canandaigua, and by those who came to Canandaigua in consequence of the information sent to Rochester.

So far, therefore, as their motives were then avowed, the suppression of Morgan's publication was the object to be effected by the conspiracy; and the abduction of the man was the mean by which that object was to be accomplished.

The abduction was effected on the night of the 12th September, 1826. At the court of general sessions held in the month of November ensuing, an indictment was found against Nicholas G. Cheesbro, Loton Lawson, Edward Sawyer and John Sheldon, charging in the first count, that they with others had conspired "to falsely imprison one William Morgan, and to deprive him of his liberty without any legal warrant or justifiable cause, and to kidnap him, the said William Morgan, and to carry away and transport him, the said William Morgan, and to cause and procure him, the said William Morgan, to be carried away and transported into foreign parts and places to the jurors aforesaid unknown, and without and beyond the jurisdiction and territory of the state of New-York," alleging the overt act, that in pursuance of such conspiracy, on the 12th day of September, 1826, they, "the said William Morgan, against the will of the said Wm. Morgan, and without any legal warrant or justifiable cause, did forcibly and violently take, lead, drag, carry away, and carry off into foreign parts and places unknown to the said jurors, and without the territory and jurisdiction of the state of New-York." Other counts charged a conspiracy for the like purpose, except that the false imprisonment was not alleged to be in places "without and beyond the territory and jurisdiction of the state of New-York." False imprisonments, riot, and assault and battery, were charged in other counts. Another indictment was also found against the same persons for the distinct offence of kidnapping. These indictments went to the court of oyer and terminer held in January, 1827, when the defendants except Sheldon, plead guilty to both, and Sheldon on trial was convicted of the offences charged in the indict-

ment for conspiracy. A nolle prosequi was entered on the indictment for kidnapping, as in fact but one conviction could be had, and I elected, by the advice of my associates, to move for judgment on the indictment for conspiracy.

If there were no other proofs, an estimate of the degree of violence, and of the extent of the outrage might be inferred from the record of these convictions.

On the trial of Sheldon, as he admitted the conspiracy, it only became necessary to establish his participation in it. Of course the inquiry was a limited one, and no very important facts were elicited.—As Cheesbro had avowed himself as the principal in the conspiracy, it may be interesting to know what he offered to the court in explanation of his conduct and in mitigation of punishment. The following extract from his affidavit sworn to before the clerk of Ontario county, on the 5th day of January, 1827, and read to the court, will explain with what views he entered into the conspiracy: “This deponent knew that it was intended to release the said Morgan from jail, and was informed and verily believed that the said Morgan had consented to go away; and that the only object of this deponent in assisting to get said Morgan out of jail, was to keep him from falling into the hands of David C. Miller of Batavia: that he, this deponent, had been informed and believed that said William Morgan was compiling a book on the subject of masonry, at the instigation or concurrence of said Miller, who was to print the same with a view to pecuniary profit; in which book the said Morgan pretended to disclose the secrets, which he averred that he had most solemnly engaged never to reveal: that deeming such publication calculated to degrade the institution of masonry, and to bring disgrace on the members thereof, this deponent was desirous to remove the said Morgan to some place beyond the reach of the said Miller, where his friends and acquaintance might endeavor to convince him

of the impropriety of his conduct, and prevent the consequence before mentioned."

You will collect from the preceding statement, that the attempt to convict Morgan of larceny had failed; that on the 11th September, 1826, he had been committed to jail on civil process; that information of his imprisonment had been communicated to persons at Rochester; that those persons came to Canandaigua on the 12th, and avowed their intention to carry him off; and that a carriage was procured for the purpose. This carriage was stationed a few rods from the jail, from whence it might be ready to start at a given signal. Previous to this, Lawson had been at the jail, had seen Morgan, and had proposed to Mrs. Hall, the wife of the jailer, who was then absent, to pay the debt, as an act of friendship to Morgan, and take him out of jail. Mrs. Hall was afraid this would not be correct, but engaged to release him if Cheesebro or Sawyer should advise her to do so. They both came to the jail, and on their recommending it, she consented to release Morgan. When she went towards the prison, Lawson went to the street door and made a signal. She turned towards the door, and saw a man come up the jail steps. She then released Morgan, and after locking the prison, went to the door and saw Morgan between Lawson and the man who came up the steps, going eastwardly. Morgan struggled and cried murder; his mouth was stopped, and he was forced off down the street. At the same time that this was passing in and near the jail, others made a signal for the carriage to come, by rapping on a well curb, when the carriage started after the party, overtook them, they all got in, and it was then turned towards Rochester; this was between 9 and 10 o'clock in the evening. A fact to be noted, is, that Morgan in the struggle lost his hat near the jail. This carriage was driven by Hiram Hubbard, who then kept a livery stable at Canandaigua. He has

testified that he drove the party a little distance beyond Hanford's landing, near the east end of the ridge road, where he arrived on the morning of the 13th September, about sunrise, and that the party got out in the road at a place distant from a house. He also testified that on his return to Rochester he met a carriage with a pair of horses. On this day, the 13th September, a carriage was procured of Ezra Platt, who kept a livery stable at Rochester, under pretence of going to Lewiston, to the installation of a lodge. Mr. Platt does not know who hired the carriage; says it was applied for before day light in the morning; that the man who drove it has left the country; and that he is not now certain even of the driver's name. But a carriage on this 13th day of September, 1826, is satisfactorily proven to have passed along the ridge road to Lewiston, under peculiar and extraordinary circumstances, not stopping at public houses, and drawn by horses belonging to persons living on the road, changed in bye places, and driven by men who could not be ordinarily engaged in such an occupation, and generally preceded by some one to procure the necessary relays of horses. It is also established that this carriage was stopped in a back street in Lewiston, and that on the morning of the 14th September, at a very early hour, another carriage was procured to go to Fort Niagara; that this carriage was driven by Corydon Fox, a stage driver, who was directed to go to this other carriage, standing in the back street, and get his passengers; that he did go to that carriage and take out four or five men, one of whom had no hat on, and appeared to be helpless. The party were then driven toward the Fort; called at Col. King's, who lived at Youngstown; took him in, and then drove to a place near the Fort, where all got out in a private place, and the carriage returned to Lewiston. It has also been proven that on the 14th September a man was confined in the magazine at Fort Niagara.

The preceding facts were proven on the trials of Sheldon, in January, 1827; of Hayward and his associates, at Batavia, in August, 1827; of Bruce, Darrow, and Turner, in Aug. 1828. I do not pretend to state all the facts that have been proven; I have aimed at detailing only the prominent features of the transaction.

I am not aware that any proof has been given on the traverse of an indictment, identifying Morgan at Fort Niagara. It can now be established that *he was in the carriage which passed on the ridge road, on the 13th September.* Such is my information from a source in which I have every confidence. This proof has not been in our power until very lately. No person who was engaged in the conspiracy at the frontier, except Bruce, has been convicted. Judgment has not yet been given against him, by reason of a question of law pending before the supreme court, and which is not yet decided.

The foregoing proofs have been deemed sufficient by an intelligent jury, to find Bruce guilty of participating in the conspiracy; he being one of those who went to the Fort in the carriage from Lewiston, on the morning of the 14th September. Edward Giddins has published his knowledge of the transactions at Fort Niagara on the 14th September, and the days subsequent thereto. I annex an extract from his testimony, (omitting names,) given before the grand jury of Ontario county relative to those events. I think proper to communicate this information, because the persons indicted upon it have all been tried, and because he has published the same information under his own name. Putting it therefore, in this shape, is only authenticating the information as his. At the same time I think proper to inform you, that he has been rejected as a witness by our court of general sessions, on the ground of religious belief. Men of character and integrity, who are well acquainted with Giddins, speak of him as a man of veracity and truth. And his information is

certainly corroborated in some important particulars, by unimpeached witnesses ; nor is it inconsistent or improbable, when compared with that established beyond all doubt, by the mouth of many witnesses.

No doubt seems to remain of Morgan's having been forcibly carried to Fort Niagara. Of his subsequent fate we are left in a great measure to conjecture. If he had been there restored to his liberty, the object of the conspiracy would not have been accomplished ; the book would not have been suppressed. A continued coercion and false imprisonment would have secured the object ; but where could that be exercised ? Where, in this part of North America, is the place in which a man could be imprisoned, secretly and violently for this length of time ? An alternative of a dreadful character suggests itself, which would not only effectually prevent his publications, but silence also the story of his wrongs. Charity might infer a result less tragical, if the conspirators had condescended to inform their fellow citizens in what manner they had disposed of the man. But in the absence of all such explanation, suspicions of the most fatal event may be indulged.

With respect to my views of the course to be pursued hereafter, I remark, that in August, 1827, I pointed out to governor Clinton the importance of having some person clothed with general authority to prosecute these offenders. To establish the guilt of an individual, it is necessary to prove many distinct facts existing in different counties. The district attorney of one county may have acquired a knowledge of all these facts, and the ability to conduct a trial with efficiency. His information is of no use to the prosecutor of another county. To the latter it is all new ground : whereas, one counsel prosecuting in all the counties, carries with him a knowledge of all the facts, and of the witnesses necessary to establish their continuity. My opinion is, that the employment of special counsel should be continued.—Although all the advantages and consequences may

not have been, at this time, secured from the employment of such counsel, that many have anticipated; yet I do not think that the experiment has been fully tried. In fact, if that is not effectual, I am at a loss to devise a remedy. However we may deprecate that wantonness and cruelty which have marked the conduct of the guilty men engaged in this transaction, we cannot deprive them of their legal and constitutional rights, which are, to be tried by law, as it was when the offence was committed, and by a jury of their country. It is doubtless an honor to our jurisprudence that, previous to this outrage upon Morgan, we had no law adequately to punish the stealing and perpetual false imprisonment of a free white man. It had not, before that event, entered into the minds of our legislators, to conceive that any men, enjoying liberty, could wilfully and wickedly deprive a fellow citizen, perpetually, of that inestimable blessing. Hence we had no law to punish such an unworthy act, to a degree corresponding with its enormity. I remark upon this more particularly, because many honest but ignorant men have attributed the comparatively slight punishment of those who have been convicted, to a sinister and corrupt influence upon the court and its officers, rather than to the law of the land; not reflecting, or not knowing, that no conviction for murder can be had, until a homicide is proved to have been committed, and that the kidnapping or abduction of a white man in 1826, was merely false imprisonment and misdemeanor, punishable by fine or imprisonment in the county jail, or both, at the discretion of the court.

An extraordinary tribunal, if it proceeded according to the course of the common law and the usages of our courts, would have no advantage over the courts of justice already established. If a tribunal were erected, with powers of a summary character, it could not act against the liberty or rights of a citizen. The writ of habeas corpus would render its

judgments of no avail. If delays in the proceedings of our courts do occur, it is to be observed that important testimony is constantly accumulating.

The abduction of Morgan is a singular and striking event in our history; and as in case of other irretrievable evils, it is easier to lament it than to find a remedy. I have no hesitation in saying, that it has resulted from the confidence which members of the masonic society have felt in its power and influence; from a false estimate of the value of that institution, and from an opinion that they were bound to preserve it from violation and injury. Public opinion is the omnipotent law of our land, and whether its slow but certain correction is not the best remedy for this, and the most certain preventive of future mischiefs, is for the wisdom of the legislature to decide.

It is worthy of remark, that it has been proved or conceded, that all those who have been engaged in these outrages, were members of the masonic fraternity: a fact not without meaning in reference to the objects of the conspiracy.

I have the honor to be, respectfully, your obd't. servant,

B. WHITING,
Dis. Att'y. Ontario county.

Extract from the testimony of Edward Giddins, given before the grand jury of Ontario county, omitting names.

“Edward Giddins, living near Fort Niagara, testified—‘That on the morning of the 14th September, 1826, about one o’clock, he was called up by ——, who said, we have got that rascal of a Morgan, who is going to reveal all our secrets, and you must get up and set us across the river. While witness was getting ready, —— came to him and said, let me have some water for Morgan, for the poor curse is famishing. Witness then went out, and found Mor-

gan sitting on a log, in custody of —— and one ——, —— and —— then led Morgan down to the boat, and they all went across the river. Morgan had a handkerchief tied around his eyes, and was also pinioned. The boat remained on the Canada shore about two hours, with Morgan, and —— in it, while —— and —— went up into the village. On their return to the boat, there were two men with them; and after a little conversation, the strangers returned, and ——, ——, ——, and Morgan returned to the American shore. Morgan complained of hard usage, and was going on to say something more, when —— presented a pistol to his breast, and threatened his life, if he did not stop. —— and —— then led Morgan up to the Fort, and confined him in the magazine. Morgan appeared very weak, and much distressed. The reason assigned for not leaving Morgan across the river was, that they were not yet ready to receive him, and he was therefore brought back and put into the magazine. On the evening of the 15th, —— and another man had a dispute about what should be done with Morgan. —— was for executing him immediately; the other man was for releasing him. The key of the magazine was then delivered to ——, who delivered it over to one ——, who kept it after that.

‘A council was held next evening, out on the plain, near the grave-yard, composed of seven persons, viz. —— . They were all, at first, for executing him immediately. Mr. —— and another person soon relented, and the others soon concluded not to decide his fate that night, but wait until they could hear from the *East*.

‘On the 21st or 22d September, —— said to witness, I believe they have murdered that man, (meaning Morgan,) and went on to state to witness, that —— had been to —— and requested him to take a boat to a certain place in the night, which —— refused to do, because he believed they were going to murder Morgan. Next morning, went to the place

where Morgan had been confined, and called him, but found he was not there.' ”

B.

ONONDAGA C. H. JANUARY, 30, 1829.

The Hon. A. Hazeltine, Chairman of the Committee in Assembly, to which was referred so much of the Governor's Message as relates to the abduction of William Morgan.

SIR—On my return this morning, I received your favor, in relation to the subject alluded to in the above reference, requesting of me the communication of any other facts, the knowledge of which I may be in possession of, and which may with propriety be made public, and not yet disclosed in the course of judicial investigation. In reply to which I respectfully state: Firstly, that the testimony heretofore taken on the trial of one of the parties charged, although made public (and substantially correct) in the *Anti-Masonic Enquirer*, of 26 August, 1828, was not inserted in my report to the executive, for the reason that I thought it not proper to give the testimony a quasi official sanction, until the cause was finally decided, and for the still more controlling reason, that the doing so, would render the impannelling of subsequent impartial juries, already sufficiently embarrassing, still more difficult. Permit me however to refer you to that paper, should you wish a detailed statement of the testimony, and from which I think I should not materially vary.

Secondly, in the course of an examination before a grand jury, during the first week in this month, and consequently since my report, I have elicited additional and material testimony in relation to the *identity* of William Morgan, and some precise circumstances occurring while carrying him off: this however does not extend beyond the abduction.

Thirdly, I have also been put in possession of some information of a graver character, and from a source entitled to credit; but I thought it not expedient to call the witness before the grand jury; it was not necessary for the purpose of finding the Bill *true* which I laid before it. These matters however can not, in my judgment, "with propriety be made public," as they would tend very much to prejudice the guilt of persons indicted. It can hardly be necessary for me to say that I shall comply however with your directions, in this particular.

I am, very respectfully, yours, &c.

D. MOSELEY.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened.

The memorial of the undersigned, delegates from the counties of Chautauque, Erie, Niagara, Orleans, Genesee, Monroe, Livingston, Ontario, Wayne, Yates, Seneca and Tompkins, assembled in Convention at Le Roy, this 6th day of March, 1828, respectfully represents,

That your memorialists, representing in said convention, a large portion of the inhabitants of said several counties, have convened for the purpose of taking into consideration the nature, tendency and objects of speculative freemasonry, as the same has lately been revealed; and of devising legal and proper means to resist what they deem to be its alarming influences in opposition to the interests and rights of the people.

That there has been exhibited to your memorialists in this convention, the most conclusive evidence that the several oaths and obligations hereto annexed in print, are substantially, if not literally, the oaths imposed and taken in the several degrees of masonry. That by reference to said oaths, your honorable bodies will discover that they are not only im-

pious and profane, but replete with obligations incompatible with our social and moral relations, and which if fulfilled must go far to subvert our political institutions.

Your memorialists, without intending to point out particularly the obligations deemed most objectionable, will merely refer to the promises to keep all secrets of a brother or companion, be they what they may; to deliver him from difficulty, he being right or wrong; and to promote his military and political advancement in preference to all others, as engagements which must materially affect the due administration of justice, and essentially destroy that equality of rights and privileges, which it is the great object of our constitution and laws to preserve.

Although your memorialists honestly believe, that a society composed of numerous and influential numbers, bound together by secret obligations, constitutes a political evil of the most serious magnitude, yet they do not propose requesting the interposition of your power to suppress it, in any other way than by the application of general principles of legislation, which are sanctioned by the history and precedents of our government.

Not only the government of this country, which is emphatically one of law, but all other civilized communities regard their own existence, as well as the most important reciprocal rights of their members, to depend essentially upon the binding force or efficacy of judicial oaths; every right and interest on this side the grave is subject to their influence; consequently to destroy their moral or legal sanction, is to strike a fatal blow at the security of reputation, property, and even of life itself. Hence it is that oaths, or rather the right of administering them, is a constituent part of the civil or judicial policy of all countries; the solemnities and sanctions under which they may be imposed, become a part of the public law, subjected to the superintending control of the respective governments. Your memorialists there-

fore feel confident, if your honorable bodies shall concur with them in opinion, that the practice of taking the numerous profane obligations of freemasonry, as well as the obligations themselves, tend in an important degree to destroy the solemn influence of judicial oaths, that then you will feel it to be a high duty to provide by law, an efficacious remedy for so great an evil.

Your memorialists are aware that since the blasphemous rites and obligations of freemasonry have been divulged, that many of its votaries assert them to be mere matters of form and ceremony, which neither have, nor are designed to have a binding force upon the consciences of the initiated, although your memorialists not only believe but *know* that their obligations have been and are regarded by many persons, otherwise respectable and intelligent, as of paramount force to the laws of the country and the sacred rights of the citizen. Yet conceding for the present that they are esteemed idle and nugatory, we call your serious attention to the form and language of those oaths which are herewith presented, and then earnestly demand of you as the guardians of the laws, and of our dearest rights, to declare whether the continual administering them is not an evil of alarming import.

Your memorialists conceive that religion, at most, will not justify the use of any other oaths than such as are indispensable for the administration of justice and the preservation of government and laws; and that human policy equally requires that they should be confined to those objects; and that the power of administering them should be restrained to such officers only as are or may be legally designated for this purpose. It is in view of their importance that every government has devised such forms for administering them, and such punishments for their violation, as are deemed most likely to ensure the greatest fidelity in their observance. But in all countries the inadequacy of human laws alone is admitted, and every

where, the aid of religious faith and the penalties of a divine law are invoked. The importance of these additional sanctions is so universally acknowledged, that not only in this state, but as your memorialists believe, throughout christendom, no person disbelieving the existence of a God, or human accountability to divine laws, can be admitted to an oath in a court of justice. But notwithstanding the united terrors of human punishment and divine vengeance are thus wisely required, for our security against perjury, the undeniable increase of this crime is a lamentable proof of their insufficiency. Without pretending to assign every cause that may contribute to this increase, your memorialists feel justified in asserting that a principal one may be found in the frequency of administering, taking and witnessing extra-judicial oaths. It can not be denied that the solemnity and moral influence, even of judicial oaths, upon the human mind, are liable to be diminished by their frequent repetition; and it is evident that this effect must be produced, to a much greater degree, when oaths are imposed with the mock solemnities, and connected with the ridiculous forms and impious rites of freemasonry. By reference to these numerous oaths it will be perceived that the recipient is gradually familiarized to the irreverent use of God's name, so that when he shall have reached the highest degrees, and witnessed, as he must have done in his progress, the frequent repetition of them by others, he is prepared to imprecate divine vengeance in the most blasphemous language, with emotions totally different than should be experienced by witnesses in courts of justice. Is it possible that divine sanctions should not loose their influence on minds familiarized to such impious mockery? If so, one of the great securities for judicial oaths is affected, and it becomes the duty of the legislature to correct the evil.

Your memorialists feel assured, that if the administering of masonic oaths produced no other evil than

what has been set forth, and which can hardly be denied by the fraternity itself, that alone would constitute sufficient grounds for their present application. But this is not the fact. The obligatory influence of the oaths doubtless is felt in different degrees, by different persons on whom they are imposed, according as their education, intellectual powers and moral feelings vary. By some they may be altogether disregarded, while over others they exercise an uncertain and irregular influence; but there is abundant proof that multitudes, embracing men of every rank and profession of society, regard the obligations even to the infliction of their horrible penalties, as of controlling force. This assertion is sustained by public events, which must be equally known to you as to us, for they were not done in a corner or under a bushel.

We need not expatiate on the alarming outrages in this vicinity, which resulted in the abduction and secret murder of a citizen, for they have stained the page of our history, and inflicted a wound on the character of the state which never can be healed, until the supremacy of our laws is established by the detection and punishment of the offenders.

But we ask, can this be accomplished, so long as secret societies are permitted to spread their influence over the country, and to direct their hidden and alarming powers to protect and defend them; and whilst our laws tolerate judges, and jurors, and witnesses, to bind themselves by oaths which set the forms and sanctions of judicial proceedings at defiance? Circumstantial evidence, but of the most satisfactory nature, has convinced your memorialists that there is a great number of persons in this state, and those too who would seem to have a deep stake in the well being of society, that are sufficiently acquainted with the particulars of the fate of Morgan, to be able if they would, to bring his murderers to justice. But so far from affording their aid to this object, many of them have been active in suppressing

public sympathy, and misleading public opinion as to his fate.

This fact, which your memorialists doubt not on inquiry will be made satisfactorily evident, exhibits the illegal influence of masonic oaths in a more striking view, than the perpetration of any single crime, however enormous.

It is hardly necessary for your memorialists to observe, after experiencing that the force of these oaths has overcome the highest obligations to society, the strongest feelings of nature, and the fear of divine vengeance, that they cannot doubt the same influence is often exerted, in prompting, perpetrating and concealing less shocking offences. For it requires no argument to show, that if the obligation is observed, even to the taking away the life of a fellow-being, its observance will be far easier obtained to the commission of crimes less abhorrent to humanity.

In concluding, your memorialists beg leave to present the whole subject as one of deep interest to the state, and worthy your most deliberate investigation, and they humbly pray, all the premises being considered, that your honorable body will devise and pass a law, declaring all oaths not sanctioned by the public laws of the state, to be wholly void, and prohibiting, by suitable penalties, their administration.

And your memorialists, as in duty bound, will ever pray.

On the nature and tendency of extra-judicial oaths.

All oaths not authorised by law, deserve no higher or better name than *profanity*. But, in order fully to understand the evil tendency and pernicious influence of such oaths, it is necessary to enter into a detailed examination of the principles contained in the obligations entered into by masons. We will therefore transcribe, in full, the master mason's oath, as a specimen of the whole, although we are told from

good authority that it bears no resemblance, in point of iniquity, to those of the higher degrees ; and that, indeed, when compared with them, it is *pure morality*. We trust the day is not distant, when the public will be better informed as to the nature and principles of the higher degrees.

“ I, A. B., of my own free will and accord, in presence of Almighty God, and this worshipful lodge of master masons, erected to God, and dedicated to the holy order of St. John, do hereby and hereon, most solemnly and sincerely promise and swear, in addition to my former obligations, that I will not give the degree of a master mason to any one of an inferior degree, nor to any other being in the known world except it be to a true and lawful brother or brethren, master mason, or within the body of a just and lawfully constituted lodge of such ; and not unto him, nor unto them, whom I shall hear so to be, but unto him, and them only, whom I shall find so to be, after strict trial and due examination, or lawful information received. Farthermore, do I promise and swear, that I will not give the master’s word which I shall hereafter receive, neither in the lodge nor out of it, except it be on the five points of fellowship, and then not above my breath. Farthermore, do I promise and swear, that I will not give the grand hailing sign of distress, except I am in real distress, or for the benefit of the craft when at work ; and should I ever see that sign given, or the word accompanying it, and the person who gave it appearing to be in distress, I will fly to his relief at the risk of my life, should there be a greater probability of saving his life, than losing my own. Farthermore, do I promise and swear, that I will not wrong this lodge, nor a brother of this degree, to the value of one cent, knowingly, myself, nor suffer it to be done by others, if in my power to prevent it. Farthermore, do I promise and swear, that I will not be at the initiating, passing, and raising a candi-

date at one communication, without a regular dispensation from the grand lodge for the same. Farthermore do I promise and swear, that I will not be at the initiating, passing, or raising a candidate in a clandestine lodge, I knowing it to be such.—Farthermore do I promise and swear, that I will not be at the initiating of an old man in dotage, a young man in non-age, an atheist, irreligious libertine, idiot, mad man, hermaphrodite, nor woman. Farthermore, do I promise and swear, that I will not speak evil of a brother master mason, neither behind his back nor before his face, but will apprize him of approaching danger, if in my power. Farthermore, do I promise and swear, *that I will not violate the chastity of a master mason's wife, mother, sister, or daughter, I knowing them to be such, nor suffer it to be done by others, if in my power to prevent it.* Farthermore, do I promise and swear, that I will support the constitution of the grand lodge of the state of——under which this lodge is held, and conform to all the by-laws, rules, and regulations of this or any other lodge of which I may at any time hereafter become a member. Farthermore, do I promise and swear, that I will obey all regular signs, summons, or tokens given, handed, sent or thrown to me from the hand of a brother master mason, or from the body of a just and lawfully constituted lodge of such, provided it be within the length of my cable-tow. Farthermore, do I promise and swear, that a master mason's secrets given to me in charge as such, and I knowing him to be such, shall remain as secure and inviolable in my breast, as in his own when communicated to me, murder and treason excepted; and they left at my own election. Farthermore, I do promise and swear, that I will go on a master mason's errand whenever required, even should I have to go barefoot, and barehead, if within the length of my cable-tow. Farthermore, I do promise and swear, that I will always remember a brother master mason, when on my knees offering

up my devotions to Almighty God. Farthermore, do I promise and swear, that I will be aiding and assisting all poor, indigent master masons, their wives and orphans, wheresoever dispersed round the globe, as far as in my power, without injuring myself or family materially. Farthermore, do I promise and swear, that if any part of this my solemn oath or obligation be omitted at this time, that I will hold myself amenable thereto whenever informed. To all which I do most solemnly, and sincerely promise and swear, with a fixed and steady purpose of mind in me to keep and perform the same; binding myself under no less penalty, than to have my body severed in the midst, and divided to the north and south, and my bowels burnt to ashes in the centre, and scattered before the four winds of heaven, that there might not the least trace of remembrance remain among men or *masons*, of so vile and perjured a wretch as I should be, were I ever to prove wilfully guilty of violating any part of this my solemn oath or obligation of a master mason. So help me God, and keep me steadfast in the due performance of the same."

MASONIC ANTIMASONIC PROCEEDINGS.

At a convention of freemasons, opposed to secret societies, held at Le Roy, in the county of Genesee, N. Y. on Tuesday, February 19th, 1828; The convention organized at 1 o'clock, P. M., and Elder David Bernard, of Warsaw, addressed the Throne of Grace. Leonard B. Rose, Esq. of Castile, was called to the Chair, and Elder David Bernard appointed Secretary. Voted that the Rev. James Cochrane, of Batavia, be requested to deliver an address to the convention upon the subject of its present meeting.

[Mr. Cochrane rose and delivered an address.]

The objects of the meeting having been stated it was agreed that the principles and obligations of freemasonry be freely discussed;—Therefore,

Voted, That the first obligation in masonry be read. Mr. H. A. Read, read the obligation of an “Entered Apprentice,” as published by Capt. William Morgan. The chairman addressed the meeting on the binding nature of Masonic obligations. Mr. S. D. Green, of Batavia, followed him on the same subject. Mr. H. A. Read, of Le Roy, spoke largely on the principles and obligations of the order; he was followed by J. Hascall, Esq. on the same subject. The Secretary then addressed the convention on the *antiquity* of the institution, showing that it was not *ancient*; on the *morality* of the institution, showing that it did not promote morality; on the benevolence of the institution, showing that it was not *benevolent*; on the *ceremonies* of the institution, as far as the Royal Arch degree, showing that they were not only degrading to human nature, but blasphemous; on the principles of the institution as a system of Religion, showing that they were opposed to *Christianity*, and gave his reasons for believing it the duty of honest masons to expose its secrets and obligations to the world.

Voted, that the second and third obligations in masonry be read. They were accordingly read as published by Morgan.

Voted, that the 4th, 5th, 6th, and 7th obligations be read, as submitted to the convention, in manuscript. They were accordingly read by Mr. Read.

Mr. Read then spoke very extensively upon the obligations of Masonry: showing that they were diametrically opposed to good government, and subversive of the principles of justice and good order.

The convention then adjourned until 7 o'clock, P. M.

During the adjournment, Solomon Southwick, Esq. of Albany, who had been invited to attend the convention, arrived to take his seat as a member.

A large and respectable concourse of citizens having convened, and being anxious to see the man, whom they considered the champion of their liberties, were admitted into the convention chamber, when Mr. Southwick was introduced by Elder Bernard. He briefly addressed them upon the pernicious effects of secret self-created societies in any government; particularly a republican government: reminded them with what jealousy the people of the United States had watched the introduction of societies and combinations anti-republican in their tendencies; and instanced the decline of the Cincinnati society, composed of many of the veterans of the Revolution, and the opposition to that article of our federal constitution which authorises secret sessions of Congress, although they had not until lately become suspicious that the masonic institution had been all this while growing up amidst them, with their indulgence, to subvert their liberties. He remarked that he had not the least anticipation of being called upon to address his fellow citizens, that he was wholly unprepared, and completely exhausted with his journey.

The citizens then departed and the convention re-organized. The following resolution then passed *unanimously*.

Resolved, That the book written by Capt. William Morgan, and published by Col. David C. Miller, entitled "Illustrations of Masonry," is a fair and full exhibition of the three first degrees of speculative freemasonry; that we solemnly and unequivocally testify to the above, we cheerfully subscribe our names thereto. We certify according to the degrees we have taken:

Entered Apprentices.—Platt S. Beech, Henry Peck, David C. Miller.

Fellow Craft.—George W. Blodgett.

Master Masons.—Leonard B. Rose, George W. Harris, James Cochrane, Jonathan Foster, Edmund Badger, Orsamus Bowers, Jason Gratton, James

Gray, Benjamin Cooley, Enos Bacheldor, A. E. Hutchins, John Tomlinson, Samuel D. Green, Pelatiah Dewey, Adam Richmond, David Snow, Seth M. Gates, Elijah Gray, Paschal D. Webb, John Anmock, James Taylor, William W. Phelps, B. Bliss.

Mark Master.—Solomon Southwick.

Royal Arch Masons.—Miles P. Lampson, David Bernard.

Knight of the Red Cross.—Richard Hollister.

Knight Templars, and Illustrious Knights of the Cross.—Anthony Cooley, Cephas A. Smith, Augustus P. Hascall, Hollis Pratt, Herbert A. Read, James Ballard, John Hascall.

The obligations of Mark Master, Past Master, Most Excellent Master, and the Royal Arch Degrees were again read as follows :

Obligation of the 4th or Mark Master's Degree.

I, A. B. of my own free will and accord in presence of Almighty God, and this right worshipful Lodge of Mark Master masons, do hereby and hereon in addition to my former obligations, most solemnly and sincerely promise and swear, that I will not give the degree of a mark master mason to any one of an inferior degree: nor to any other person in the known world, except it be to a true and lawful brother or brethren of this degree, and not unto him nor unto them whom I shall hear so to be, but unto him and unto them only whom I shall find so to be after strict trial and due examination or lawful information given. Furthermore do I promise and swear that I will support the constitution of the general Grand Royal Arch Chapter of the United States of America, also the constitution of the Grand Royal Arch Chapter of this state under which this Lodge is held, and conform to all the by-laws, rules and regulations of this or any other lodge of mark master masons of which I may at any time hereafter become a member; that I will obey all signs and summons given, handed, sent or thrown to me from the hand

of a brother mark master mason, or from the body of a just and lawfully constituted lodge of such, provided it be within the length of my cable tow; furthermore do I promise and swear, that I will not wrong this lodge, nor a brother of this degree, to the value of his wages or one penny, myself, knowingly, nor suffer it to be done by others, if in my power to prevent it. Furthermore do I promise and swear, that I will not sell, swap, barter or exchange my mark, which I shall hereafter choose, nor send it a second time to pledge, until it is lawfully redeemed from the first. Furthermore do I promise and swear, that I will receive a brother's mark when offered to me, requesting a favor, and grant him his request if in my power, and if it is not in my power to grant him his request, I will return him his mark with the value thereof, which is half a shekel of silver, or a quarter of a dollar. To all which I do most solemnly and sincerely promise and swear, with a steady and fixed purpose of mind in me to keep and perform the same, binding myself under no less penalty than to have my right ear smote off, that I may be forever unable to hear the word, and my right hand chopped off as the penalty of an impostor, if I should ever prove wilfully guilty of violating any part of this my solemn oath or obligation of a mark master mason, so help me God, and keep me steadfast to keep and perform the same. Detach the hand and kiss the book.

Obligation of the 5th, or Past Master's Degree.

I, A. B. of my own free will and accord, in presence of Almighty God, and this worshipful lodge of Past Master Masons, do hereby and hereon most solemnly and sincerely promise and swear, in addition to my former obligations, that I will not give the degree of past master mason to any one of an inferior degree, nor to any other person in the known world, except it be to a true and lawful brother or brethren, past master masons, or within the body of

a just and lawfully constituted lodge of such, and not unto him, nor unto them whom I shall hear so to be, but unto him and them only whom I shall find so to be after strict trial and due examination or lawful information; furthermore do I promise and swear, that I will obey all regular signs and summons, given, handed, sent or thrown from the hand of a brother of this degree, or from the body of a just and lawfully constituted lodge of such, provided it be within length of my cable tow; furthermore do I promise and swear, that I will support the constitution of the General Grand Royal Arch Chapter of the United States of America, also the grand chapter of the state of ——— under which this lodge is held, and conform to all the by-laws, rules and regulations of this or any other lodge of which I may at any time hereafter become a member, as far as in my power; furthermore do I promise and swear, that I will aid and assist all poor and indigent past master masons, their widows and orphans, wheresoever dispersed around the globe, they applying to me as such, as far as in my power, without material injury to myself or family; furthermore do I promise and swear, that the secrets of a brother of this degree delivered to me in charge as such, shall remain as secure and inviolate in my breast as they were in his own before communicated to me, murder and treason excepted, and they left to my own election; furthermore do I promise and swear, that I will not wrong this lodge, nor a brother of this degree to the value of one cent knowingly myself, nor suffer it to be done by others, if in my power to prevent it; furthermore do I promise and swear, that I will not govern this lodge, nor any other over which I may hereafter preside, in a haughty, arbitrary or imperious manner, but will at all times use my utmost endeavors to preserve peace and harmony among the brethren; furthermore do I promise and swear, that I will not close this lodge, nor any over which I may at any time hereafter preside, without first giving a lecture on some of the

preceding degrees ; to all which I do most solemnly and sincerely promise and swear, with a fixed and steady purpose of mind in me to keep and perform the same, binding myself under no less penalty than to have my tongue split from tip to root, [or in some lodges, cleave to the roof of my mouth] that I might forever hereafter be unable to speak the word, if ever I should prove wilfully guilty of violating any part of this my solemn oath or obligation of a past master mason, so help me God, and keep me steadfast to keep and perform the same.

Obligation of the 6th, or Most Excellent Master's Degree.

I, A. B. of my own free will and accord, in presence of Almighty God and this Lodge of Most Excellent Master Masons, do hereby and hereon, in addition to my former obligations, most solemnly and sincerely promise and swear, that I will not give the degree of most excellent master mason to any of an inferior degree, nor to any other person or persons in the known world, except it be to a true and lawful brother or brethren of this degree, or within the body of a just and lawfully constituted lodge of such, and not unto him nor them whom I shall hear so to be, but unto him and them only whom I shall find so to be, after a strict trial and due examination or lawful information : furthermore do I promise and swear, that I will obey all regular signs and summons given, handed, sent or thrown to me from the hand of a brother of this degree, or from the body of a just and lawfully constituted lodge of such, provided it be within the length of my cable tow ; furthermore do I promise and swear, that I will support the constitution of the General Grand Royal Arch Chapter of the United States of America, also the Grand Royal Arch Chapter of ——— under which this lodge is held, and conform to all the by-laws, rules and regulations of this or any other lodge of which I may at any time hereafter be-

come a member; furthermore do I promise and swear, that I will aid and assist all poor and indigent brethren of this degree, their widows and orphans, wheresoever dispersed around the globe as far as in my power without injuring myself or family; furthermore do I promise and swear, that the secrets of a brother of this degree, given to me in charge as such, and I knowing him to be as such, shall remain as secure and inviolable in my breast as his own, murder and treason excepted, and they left to my own free will and choice; furthermore do I promise and swear, that I will not wrong this lodge of most excellent master masons, nor a brother of this degree, to the value of any thing knowingly myself, nor suffer it to be done by others if in my power to prevent it; furthermore do I promise and swear, that I will not speak evil of a brother, but will give due and timely notice, of all approach of danger if in my power; furthermore do I promise and swear, that I will dispense light and knowledge to all ignorant and uninformed brethren at all times, as far as in my power without material injury to myself or family; to all which I do most solemnly swear with a fixed and steady purpose of mind in me to keep and perform the same, binding myself under no less penalty than to have my breast torn open and my heart and vitals taken from thence, and exposed to rot on the dunghill, if ever I violate any part of this my solemn oath or obligation of a most excellent master mason. So help me God and keep me steadfast in the due performance of the same.

Obligation of the 7th, or Royal Arch Degree.

I, A. B. of my own free will and accord, in the presence of Almighty God and this Chapter of Royal Arch Masons, erected to God, and dedicated to the holy order of St. John, do hereby and hereon most solemnly and sincerely promise and swear, in addition to my former obligations, that I will not give the degree of a royal arch mason to any one of an

inferior degree, nor to any other being in the known world, except it be to a companion royal arch mason, or within the body of a just and lawfully constituted Chapter of such, and not unto him or unto them whom I shall hear so to be, but unto him and them only whom I shall find so to be, after strict trial, due examination, or lawful information received. Furthermore do I promise and swear, that I will not give the royal arch word which I shall hereafter receive, neither in the chapter nor out of it, except there be present two companion royal arch masons, who with myself make three, and then under the living arch, not above my breath; furthermore do I promise and swear, that I will not wrong this chapter, nor a companion of this degree to the value of any thing knowingly myself, nor suffer it to be done by others if in my power to prevent it; furthermore do I promise and swear, that I will not be at the exaltation of a candidate at a clandestine chapter, I knowing it to be such; furthermore do I promise and swear, that I will not assist, or be present at the exaltation of a candidate for this degree upon any person who has not regularly received the several degrees of an Entered Apprentice, Fellow-craft, Master Mason, Mark Master, Past Master, and Most Excellent Master, to the best of my knowledge and belief; furthermore do I promise and swear, that I will not assist nor see any more nor less than three candidates exalted at one and the same time; furthermore do I promise and swear, that I will not assist or be present at the forming and opening of a royal arch chapter, unless there shall be present nine regular Royal Arch Masons; furthermore do I promise and swear, that I will not speak evil of a companion Royal Arch mason neither behind his back nor before his face, but will apprise him of approaching danger if in my power; furthermore do I promise and swear, that I will not strike a companion Royal Arch mason in anger, so as to draw blood; furthermore do I promise and swear, that I will sup-

port the constitution of G. G. R. A. Chapter of the U. S. A.: Also the constitution of the Grand Royal Arch of the state of ———, under which this Chapter is held, and conform to all the by-laws, rules and regulations of this or any other Chapter, of which I may hereafter become a member; furthermore do I promise and swear, that I will obey all regular signs, summons, or tokens, given, handed, sent, or thrown to me, from the hand of a companion Royal Arch mason, or from the body of just and lawfully constituted Chapter of such, provided it be within the length of my cable-tow; furthermore do I promise and swear, that I will aid and assist a companion Royal Arch mason whenever I shall see him engaged in any difficulty, so far as to extricate him from the same, whether he be right or wrong; furthermore do I promise and swear, that a companion Royal Arch mason's secrets, given me in charge as such, and I knowing him to be such, shall remain as secure and inviolable in my breast as in his own, when communicated to me, Murder and Treason *Not* excepted; furthermore do I promise and swear, that I will be aiding and assisting all poor and indigent Royal Arch masons, their widows and orphans, wheresoever dispersed around the globe, so far as in my power, without injury to myself or family materially. To all of which I do most solemnly and sincerely promise and swear, with a fixed and steady purpose of mind in me to keep and perform the same, binding myself under the no less penalty than to have my skull struck off, and my brains exposed to the scorching rays of the sun, were I ever to prove wilfully guilty of violating any part of this my solemn oath of a Royal Arch mason, so help me God, and keep me steadfast in the due performance of the same.

Note—Furthermore do I promise and swear, that I will vote for a companion Royal Arch Mason before any other person of equal qualifications.

The political, moral, and religious nature and tendency of the foregoing obligations were again freely

discussed, whereupon it was resolved by all the Royal Arch masons, that the foregoing obligations are, according to our best recollections, substantially true—and by the convention, unanimously, That they are neither legally, morally or religiously binding, and that they be published to the world.

The obligations of Knights of the Red Cross, Knights Templar, the sealed obligation and obligations of the Thrice Illustrious Order of the Cross were then read as follows :

Obligation of Knight of the Red Cross.

I, A. B. of my own free will and accord, in presence of the Supreme Architect of the Universe and these witnesses, do hereby and hereon most solemnly and sincerely promise and swear, that I will always hail, forever conceal and never reveal any of the secret arts, parts or points of the mysteries appertaining to the order of Knights of the Red Cross, unless it be to a true and lawful companion Sir Knight of the order, or within the body of a just and lawful council of such, and not unto him or them until by due trial and strict examination or lawful information, I find him or them lawfully entitled to receive the same. Furthermore do I promise and swear that I will answer and obey all due signs and regular summonses which shall be sent to me from a regular council of Knights of the Red Cross, if within the distance of 40 miles, natural infirmities and unavoidable accidents only excusing me. I furthermore promise and swear that I will not be present at the conferring this order of Knighthood upon any person unless he shall have previously regularly received the several degrees of Entered Apprentice, Fellow Craft, Master Mason, Mark Master, Past Master, Most Excellent Master and Royal Arch Mason, to the best of my knowledge and belief: I do furthermore promise and swear, that I will not assist or be present at the forming and opening of a council

of Knights of the Red Cross, unless there be present at least 5 regular knights of the order, or the representatives of three different encampments acting under the sanction of a legal warrant: I furthermore promise and swear that I will vindicate the character of a courteous Sir Knight of the Red Cross when wrongfully traduced; that I will help him in a lawful occasion in preference to any brother of an inferior degree, and so far as honor, truth and justice may warrant; I furthermore do promise and swear, that I will support and maintain the by-laws of the council of which I may hereafter become a member, the rules and regulations of the Grand Encampment under which the same may be holden, together with the constitution and ordinances of the G. G. Encampment of the United States of America, so far as the same may come to my knowledge. To all which I solemnly promise and swear, binding myself under no less penalty than that of having my house torn down, the timber thereof set up, and I hanged thereon, and when the last trump shall blow, that I be forever excluded from the society of all true and courteous Knights, should I ever wilfully or knowingly violate any part of this solemn obligation of Knights of the Red Cross. So help me God, and keep me steadfast to keep and perform the same.

Templar's Oath.

I, A. B. of my own free will and accord, in the presence of Almighty God, and this Encampment of Knights Templars, do hereby and hereon, most solemnly and sincerely promise and swear, that I will always hail, forever conceal, and never reveal any of the secret arts, parts or points appertaining to the mysteries of this order of Knights Templar, unless it be to a true and lawful companion Sir Knight Templar, or within the body of a just and lawful Encampment of such, and not unto him or them until by due trial, strict examination or lawful information, I find

him or them lawfully entitled to the same : I furthermore promise and swear, that I will answer and obey all due signs and regular summonses which shall be given or sent to me from a regular Encampment of Knights Templar, or given to me by the hands of a regular Sir Knight Templar, if within forty miles, natural infirmities and unavoidable accidents only excusing me ; I furthermore promise and swear, that I will help, aid and assist, with my counsel, my word, and my purse, all poor and indigent Knight Templars, their widows and orphans, they making application to me as such, and I finding them worthy, so far as I can do it without material injury to myself, and so far as truth, honor and justice may warrant : I furthermore promise and swear, that I will not assist or or be present at the conferring of this order of Knighthood upon any person who has not regularly received the several degrees of Entered Apprentice, Fellow Craft, Master Mason, Mark Master, Past Master, Most Excellent Master, Royal Arch Mason, and been regularly constituted a Knight of the Red Cross, to the best of my knowledge and belief : I furthermore promise and swear, that I will not assist or be present at the forming and opening of an Encampment of Knights Templar, unless there be present seven Knights of the order, or the representatives of three different Encampments acting under the sanction of a legal warrant : Furthermore do I promise and swear, that I will go the distance of forty miles, even barefoot and on frosty ground, to save the life and relieve the distresses of a worthy Knight, should I know that his distresses required it, and my abilities permit : Furthermore I promise and swear, that I will wield my sword in defence of innocent virgins, destitute widows and helpless orphans, and the Christian religion : Furthermore I promise and swear that I will support and maintain the by-laws of the Encampment of which I may hereafter become a member, the edicts and regulations of the Grand Encampment, under which the same may be holden, to-

gether with the laws and constitution of the General Grand Encampment of the U. States of America, so far as the same shall come to my knowledge: To all this I most solemnly and sincerely promise and swear, with a firm and steady resolution to perform and keep the same, without any hesitation, equivocation, mental reservation, or self-evasion of mind in me whatever, binding myself under no less penalty than to have my head struck off and placed on the highest spire in Christendom, should I knowingly or wilfully violate this my solemn obligation of Knights Templar. So help me God, and keep me steadfast to perform and keep the same.

Before administering the next obligation, the candidate is required to drink four libations; at the fifth libation he is presented with a human skull, and told he must submit to the degradation of drinking his fifth libation from this skull, or he cannot proceed any further; on his assenting to drink from this skull he is required to repeat the following obligation, called the sealed obligation, and in testimony of his sincerity, to partake of the wine from the skull:

Sealed Obligation.

This pure wine I now take in testimony of my belief in the mortality of the body, and the immortality of the soul: and may this libation appear as a witness against me, both here and hereafter; and as the sins of the whole world were laid upon the head of the Saviour, so may all the sins committed by the person whose skull this was, be heaped upon my head, in addition to my own, should I ever knowingly or wilfully violate or transgress any obligation that I have heretofore taken, take at this time, or shall at any future period take, in relation to any degree of masonry or order of Knighthood. So help me God.

1st Obligation.

You do now by your honour and in view of the power and union of the Illustrious order of the Cross,

now first made known to you, and in dread presence of the Most Holy and Almighty God, solemnly and sincerely swear and declare, that to the end of your life you will not, either in consideration of gain, interest or honor, nor with good or bad design, ever take the least step or measure, or be instrumental in any such object, to betray or to communicate to any person or being, or member of the same in the known world, nor to any craft or crafts not entitled to them, any secret or secrets, ceremony or ceremonies, or any part thereof, appertaining to the order and degree, known among masons, Holy Illustrious Order of the Cross: That you will not, at any time or times whatever, either now or hereafter, directly or indirectly, by letter, figure or character, or by any mode whatever, expose or communicate any information, secrets or mysteries heretofore alluded to, and that you will never speak on or upon, or breathe, high or low, any ceremonies or secrets appertaining thereto, out of council, when there shall not be two or more Knight Companions of the order present beside yourself and that in a safe and secure place, whereby any opinion, even of the nature and general principles of the institution, can be found by any other person, be he a mason or otherwise than a true Knight Companion of the Cross, nothing herein going to interfere with the prudent practice of the duties enjoined by the order, or any arrangement for their enforcement.

2d. You further swear that should you ever know a companion violate any essential part of this obligation, you will use your most decided endeavors, by the blessing of God, to bring such person to the strictest and most condign punishment agreeable to the rules and usages of our ancient fraternity, and this by pointing him out to the world as an unworthy and vicious vagabond, by opposing his interest, by deranging his business, by transferring his character after him wherever he may go, by exposing him to the contempt of the whole fraternity and the world, but of our illustrious order more especially, during his

whole natural life, nothing herein going to prevent yourself, or any other when elected to the dignity of thrice illustrious knight, from retaining the ritual of the order, if prudence and caution appear to be the governing principles in so retaining it, such dignity authorising the elected to be governed by no rules but the dictates of his own judgment, in regard to what will best conduce to the interest of the order, but that he be responsible for the character of those whom he may induct, and for the concealment of said ritual.

3d. Should any thrice illustrious companion or acting officer of any council which may have them in hand require your aid in any emergency, in defence of the recovery of his said charge, you swear cheerfully to exercise all the assistance in his favor which the nature of the time and place will admit, even to the sacrifice of life, liberty and property; to all this you soberly swear; to all and every part thereof we bind you, and by ancient usage you bind yourself under the no less infamous penalty than dying the death of a traitor, by having a spear or other sharp instrument, like as our Divine Master, thrust in your left side, bearing testimony, even in death, of the power and justice of the mark of the Holy Cross.

2d Obligation.

I do now, by the honor and power of the mark of the holy and illustrious order of the cross, which I now hold to Heaven in my right hand as the earnest of my faith, and in the dread presence of Most Holy and Almighty God, solemnly swear and declare, that I will give myself forever to this holy and illustrious order, confiding fully and unreservedly in the purity of their morals and the ardor of their pious enthusiasm for the recovery of the land of their fathers, and the blessed clime of our Lord's sufferings, and never to renounce the mark of the order nor the claims and welfare of my brethren.

I swear to venerate the mark as the wisdom and decree of Heaven to unite our hands and our hearts in the work of holy crusade, and as an encouragement to act with zeal and efficiency ; and I swear to consider its mysteries as the only proper test of an illustrious brother of the cross. I swear to wear the mark of this order without the least addition, except what I shall be legally entitled to by *induction*, forever if not without the physical means of doing so, or its being contrary to propriety, and even then, if possible, to wear the holy cross ; and I swear to put a chief dependence for the said worthy and pious objects therein.

I swear to put confidence unlimited in every illustrious brother of the cross, as a true and worthy follower of the blessed Jesus, who has sought this land not for private good, but piety and the religion of the Most High and Almighty God.

I swear never to permit my political principles, nor private interest to become counter to his, if forbearance and brotherly kindness can operate to prevent it, and never to meet him, if I know it, in war or in peace, under such circumstances that I may not in justice to myself, my cross and country, wish him unqualified success ; and if perchance it should happen without my knowledge of being informed thereof, that I will use my best endeavors to satisfy him, even to the relinquishing my arms or purpose. I will never shed another's blood, or thwart his good fortune, knowing him to be such, nor see it done by others, if it is in my power to prevent it.

I swear to advance my brother's best interest by always supporting his military fame, and political preferment in opposition to another, and by employing his arms and his aid in his vocation under all circumstances, where I shall not suffer more by so doing than he by my neglecting to do so.

I swear to look on his enemies as my enemies, and his friends as my friends, and stand forth to mete out tender kindness or vengeance accordingly, but

never to intrude on his social or domestic relations to his hurt or dishonor, by claiming his privileges, or by debauching or defaming his female relations and friends.

I swear never to see calmly or without earnest desires and decided measures to prevent the ill treatment, slander or defamation of any Brother Knight, *nor ever to view danger, or the least shadow of injury about to fall on his head, without well and truly informing him thereof; and if in my power to prevent it, never to fail by sword or counsel, to defend his welfare and good name.*

I swear never to prosecute a brother before those who know not our order, till the remonstrances of a council shall be inadequate to do me justice.

I swear to keep secret my brother's secrets, both when delivered to me as such, and when the nature of the information is such as to require secrecy for his welfare.

I swear to hold myself bound to him, especially in affliction and adversity, to contribute to his necessities, my prayers, my influence, and my purse.

I swear to be under the control of my council, or if belonging to none, to that which is nearest to me, and never to demur to, or complain at any decree, concerning me, which my brothers as a council, shall conceive me to deserve, and enforce on my head to my hurt and dishonor.

I swear to obey all summons, sent from any council to me, or from any most Illustrious Knight, whether Illustrious counsellor for the time being, or by induction; and to be governed by the constitution, usages and customs of the order, without variation or change.

I swear never to see nor permit more than two candidates, who with a seignior inductor will make three, to be advanced at the same time, in any council where I shall be; nor shall any candidate by suffrage, be inducted without a unanimous vote of the Illustrious Brethren in council, nor shall any coun-

cil advance any member, there not being three Illustrious Knights, or one most Illustrious, and four Illustrious Knights of the cross present, which latter may be substituted by most Illustrious Induction ;— nor yet when there shall not be a full and proper mark of the order, such as usage has adopted to our altar of metal, or other durable and worthy materials contained within the apartments of council, as also the Holy Bible ; nor will I ever see a council opened for business without the ceremony of taking the mark exercised on the character of every brother, prayers, and the reading the 35th Psalm of David. Nor will I ever see or consent to, or countenance more than two persons of the same business, or calling in life to belong to, or be inducted and advanced in any one council of which I am a member, at the same time, nothing therein going to prevent or exclude members from other parts of the country, or from foreign parts from adjoining us, if they consent formally and truly to stand in difference and defence first of their bar brethren in the council, nor to prevent advancements to fill vacancies occasioned by death or removal. To all them, and every part thereof, I do now, as before, by the honor and power of the mark, as by an honorable and awful oath, which confirmeth all things in the dread presence of the most Holy and Almighty God, solemnly and in truth, bind and obligate my soul, and in the earthly penalties, to wit: that for the violation of the least matter or particle, of any of the here taken obligations, I be made the silent and mute subject of the displeasure of the Illustrious order, and have their power and wrath turned on my own head ; and to my destruction and dishonor, which like the nail of Jael, may be the sure end of an unworthy wretch, by piercing my temples with a true sense of my ingratitude ; and for a breach of silence in case of such an unhappy event, that I shall die the infamous death of a traitor, by having a spear or other sharp weapon, like as my Lord, thrust in my left side, bearing testimony

even in death, of the power of the mark of the Holy and Illustrious Cross, before I. H. S. our thrice Illustrious counsellor in heaven, the grand council of the good: To this I swear. Glory to our most Holy and Almighty God, and good will to our country.

After another short discussion, the Knights present then unanimously resolved, That the foregoing obligations are substantially correct; and by this convention unanimously, that they are neither legally, morally or religiously binding, and that they be published to the world.

The convention then adjourned to 9 o'clock of the next day.

LEONARD B. ROSE, Ch'n.

DAVID BERNARD, Sec'y.

WM. WADSWORTH, President.

MATTHEW BROWN, JR. }

R. FLEMING, }

Secretaries.